

ORDINANCE NO. 6804

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING TITLE 19 OF THE RIVERSIDE MUNICIPAL CODE BY AMENDING CHAPTER 19.76 RELATING TO SIGNS AND ADDING A NEW CHAPTER 19.77 RELATING TO PRIVATE PARTY SIGNS ON CITY-OWNED PROPERTY AND THE PUBLIC RIGHT-OF-WAY.

The City Council of the City of Riverside, California, does ordain as follows:

Section 1: Title 19, Chapter 19.76, is hereby amended in its entirety to read as follows:

CHAPTER 19.76 SIGNS

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1 **19.76.010 Title.**

2 This Chapter may be referred to as the Sign Ordinance or the Sign Code of the City of
3 Riverside California.

4 **19.76.020 Authority.**

5 This Chapter is adopted pursuant to the authority of California Government Code section
6 38774 and 65850, California Business and Professions Code section 5230 and California
7 Civil Code section 713.

8 **19.76.030 Regulatory Scope.**

9 This Chapter regulates signs, as defined herein, which are located on or mounted on private
10 property within the corporate limits of the City of Riverside California, as well as signs
11 located or mounted on public property which is owned or controlled by public entities other
12 than the City of Riverside, and over which the City has land use or zoning authority.
13 However, property owned by public entities other than the City, in which the City holds the
14 present right of possession, or for which management rights have been delegated to the City,
15 are not within the scope of this Chapter. Policies for private party signs on City-owned
16 property, on the public right of way, and publicly owned properties in which the City holds
17 the present right of possession or for which management rights have been delegated to the
18 city, are stated in Chapter 19.76.34.

19 **19.76.040 Findings.**

20 In adopting this Chapter, the City Council finds that excessive and inappropriate signage has
21 an adverse impact on the overall visual appearance of a City, and can increase risks to traffic
22 and pedestrians. Proper sign control safeguards and preserves the health, property, and
23 public welfare of Riverside residents through prohibiting, regulating, and controlling the
24 design, location, and maintenance of signs.

25 **19.76.050 Purposes.**

26 The purposes of this Chapter include serving the public health safety and welfare by
27 advancing the goals, policies and strategies of the General Plan, protecting, preserving and
28 enhancing the aesthetic, traffic safety and environmental values of the City's residential
29 communities and growing commercial/industrial districts, while at the same time providing
30 efficient means for members of the public to express themselves by displaying a sign.

31 **19.76.060 Intent.**

32 By adopting this Chapter the City intends to regulate signs on the bases of location,
33 relationship to land uses, illumination, motion, size, height, orientation, separation, safety
34 of physical structures, and the public need for functional information. It is the intent of this
35 Chapter to minimize visual clutter, and enhance traffic safety by ensuring that signage does
36 not distract, obstruct or otherwise impede traffic circulation. Proper sign control also
37 safeguards and preserves the health, property, and public welfare by prohibiting, regulating,
38 and controlling the structural design, location and maintenance of signs.

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1 **19.76.070 Basic Policies.**

2 The policies and principles stated in this section apply to all signs within the regulatory scope
3 of this Chapter, and to all procedures set forth in, or invoked by, this Chapter. These policies
4 are to prevail over any other provision to the contrary, even if more specific.

5 **A. Enforcement Authority.** The Director is authorized and directed to enforce and
6 administrate the provisions of this Chapter.

7 **B. Permit Requirement.** Unless expressly exempted by a provision of this Chapter, or
8 by other applicable law, signs within the regulatory scope of this Chapter may be
9 displayed only pursuant to a permit issued by the City.

10 **C. Message Neutrality.** It is the City's policy to regulate signs in a constitutional
11 manner, which is content neutral as to noncommercial signs and viewpoint neutral
12 as to commercial signs.

13 **D. Regulatory Interpretations.** All regulatory interpretations of this Chapter are to be
14 exercised in light of the City's message neutrality policy. Where a particular type of
15 sign is proposed in a permit application, and the type is neither expressly allowed nor
16 prohibited by this Chapter, or whenever a sign does not qualify as a "structure" as
17 defined in the Building Code, then the Director shall approve, conditionally approve
18 or disapprove the application based on the most similar sign type that is expressly
19 regulated by this Chapter.

20 **E. Substitution of Messages.** Subject to the property owner's consent, a
21 noncommercial message of any type may be substituted for any duly permitted or
22 allowed commercial message or any duly permitted or allowed noncommercial
23 message, provided that the sign structure or mounting device is legal without
24 consideration of message content. Such substitution of message may be made without
25 any additional approval or permitting. This provision prevails over any more specific
26 provision to the contrary within this Chapter. The purpose of this provision is to
27 prevent any inadvertent favoring of commercial speech over noncommercial speech,
28 or favoring of any particular noncommercial message over any other noncommercial
29 message. This provision does not create a right to increase the total amount of
30 signage on a parcel, lot or land use; does not affect the requirement that a sign
31 structure or mounting device be properly permitted; does not allow a change in the
32 physical structure of a sign or its mounting device; does not allow the substitution of
33 an off-site commercial message in place of an on-site commercial message; and does
34 not allow one particular on-site commercial message to be substituted for another
35 without a permit.

36 **F. Rules for Non-communicative Aspects of Signs.** All rules and regulations
37 concerning the non-communicative aspects of signs, such as location, size, height,
38 illumination, spacing, orientation, etc., stand enforceable independently of any permit
39 or approval process.

40 **G. Situs of Non-commercial Message Signs.** The onsite / offsite distinction applies
41 only to commercial messages on signs.

42 **H. Multiple Use Zones.** In any zone where both residential and non residential uses are
43 allowed, the sign-related rights and responsibilities applicable to any particular use
44 shall be determined as follows: residential uses shall be treated as if they were
45 located where that type of use would be allowed as a matter of right, and

1 nonresidential uses shall be treated as if they were located in a zone where that
2 particular use would be allowed, either as a matter of right or subject to a conditional
use permit or similar discretionary process.

3 **I. Property Owner's Consent.** No sign may be displayed without the consent of the
4 legal owner(s) of the property on which the sign is mounted or displayed. For
5 purposes of this policy, "owner" means the holder of the legal title to the property
and all parties and persons holding a present right to possession, control or use of the
property.

6 **J. Legal Nature of Signage Rights and Duties.** As to all signs attached to property,
7 real or personal, the signage rights, duties and obligations arising from this Chapter
8 attach to and travel with the land or other property on which a sign is mounted or
9 displayed. This provision does not modify or affect the law of fixtures, sign-related
provisions in private leases regarding signs (so long as they are not in conflict with
this Chapter), or the ownership of sign structures.

10 **K. Sign Programs.** Sign programs for specific developments, as well as special sign
11 districts or special sign overlay zones, when approved by the approving authority,
12 may modify the rules stated herein as to sign size, height, illumination, spacing,
13 orientation or other non-communicative aspects of signs, but may not override or
modify any of the Basic Policies stated in this section. All the provisions of this
section shall automatically apply to and be deemed a part of any sign program
approved after the date on which this provision is initially adopted.

14 **L. Variances.** When a variance from the rules stated in this Chapter is sought, such
15 variance may be permitted only upon the approval of the approving authority. In
16 considering requests for such variances, the approving authority shall not consider
17 the message of the sign display face, and may not approve a variance which would
18 allow a permanent structure sign to be used for the display of off-site commercial
messages. Except at otherwise provided for within this Chapter, any variances from
the standards set forth in this Chapter shall be in accordance with Municipal Code
Section 19.64.050. In considering a variance, the City may not consider the graphic
design or copy of the sign or display face.

19 **M. Billboards.** The City completely prohibits the construction, erection or use of any
20 billboards, other than those which legally exist in the City, or for which a valid
21 permit has been issued and has not expired, as of the date on which this provision is
22 first adopted. No permit shall be issued for any billboard which violates this policy,
and the City will take immediate abatement action against any billboard constructed
or maintained in violation of this policy. In adopting this provision, the City Council
affirmatively declares that it would have adopted this billboard policy even if it were
the only provision in this Chapter.

23 The City Council intends for this billboard policy to be severable and separately
24 enforceable even if other provision(s) of this Chapter may be declared, by a court of
25 competent jurisdiction, to be unconstitutional, invalid or unenforceable. This
provision does not prohibit agreements to relocate presently existing, legal billboards.

26 **N. Severance.** If any section, sentence, clause, phrase, word, portion or provision of this
27 Chapter is held invalid or, unconstitutional, or unenforceable, by any court of
competent jurisdiction, such holding shall not affect, impair, or invalidate any other
section, sentence, clause, phrase, word, portion, or provision of this Chapter which
can be given effect without the invalid portion. In adopting this Chapter, the City

Council affirmatively declares that it would have approved and adopted the Chapter even without any portion which may be held invalid or unenforceable.

19.76.080 General Provisions

- A. Signs Must Comply With This Code.** In all zones, only such signs as are specifically permitted in this chapter may be placed, erected, maintained, displayed or used, and the placement, erection, maintenance, display or use of signs shall be subject to all restrictions, limitations and regulations contained in this Chapter. The placement, erection, maintenance, display or use of all other signs is prohibited.
- B. Review and Approval.** In reviewing signs, the Planning staff, the City Planning Commission and the Cultural Heritage Board may base their decisions upon the standards contained in Chapter 19.62 and Title 20, respectively, and upon adopted policies and guidelines of each respective board.
- C. Lighted Versus Nonlighted Signs.** Unless specifically restricted in this Chapter, signs may be illuminated or non-illuminated.
- D. Permissible Sign Locations.**
- 1. Building Signs.** All building signs must be located on and directly parallel to a building wall, canopy facia or mansard roof directly abutting the use or occupancy being identified and directly facing a parking lot, mall, street, driveway, alley, or freeway.
 - 2. Window Signs.** Except for signs painted directly on the exterior surface of the window, all window signs must be located on or adjacent to the inner surface of a window directly used by the use or occupancy being identified and be directly facing a parking lot, mall, street, driveway, alley, or freeway.
 - 3. Under Canopy Signs.** All under canopy signs shall be suspended from the underside of a pedestrian canopy directly adjacent to the business identified on the sign. Under canopy signs shall be oriented perpendicular to the adjacent wall of the business being identified and shall be attached with rigid supports of a type and in a manner acceptable to the Building and Safety Division. A minimum clearance of seven feet shall be maintained between the grade level below the sign and the lowermost portion of the sign except when the sign is projecting over a public right-of-way, in which case the minimum clearance shall be eight feet.
 - 4. Pole and Monument Signs.** All pole and monument signs shall be located so as to be directed toward a parking lot, mall, street, driveway, or alley. Such a sign shall be situated on the lot or parcel on which the use or occupancy identified is located, except in a commercial, office or industrial complex where such a sign may be located on any lot or parcel in the complex where the use or occupancy identified is located. Any freestanding sign that is oriented so as to be visible from an adjacent freeway is subject to the granting of a Minor Conditional Use Permit by the City Planning Commission.
 - 5. Sign Projection From a Building Face.** Except as allowed by an explicit provision of this Chapter, in all zones, building signs shall not project more than twelve inches from the face of the building on which they are placed,

1 except in the case of signs placed on a mansard roof which may project such
2 a distance from the face of the roof as necessary for the sign face to be
3 perpendicular to the floor of the building.

4 **6. Projection of Permanent Signs over Public Rights-of-Way.** All signs
5 which project over or into the public right of way must conform and are
6 subject to an encroachment permit.

7 **7. Historic Area Perpendicular Signs.** For buildings registered in the National
8 Historic Register; designated a State Historical landmark, a City of Riverside
9 landmark or structure of merit; or located in a City of Riverside preservation
10 district or neighborhood conservation area, and which contain a
11 nonresidential use, when no canopy exists, a maximum four-square-foot,
12 double-faced sign, oriented perpendicular to the building wall is permitted in
13 lieu of an under canopy sign. Such perpendicular sign shall not project more
14 than thirty inches from the face of the building wall on which it is placed,
15 shall be attached with rigid supports in a manner acceptable to the Building
16 and Safety Division and shall maintain a minimum clearance of seven feet
17 between the grade level below the sign and the lowermost portion of the sign,
18 except when the sign is projecting over a public right-of-way, in which case
19 the minimum clearance shall be eight feet.

20 **8. Applicable to Riverside Municipal Airport.** Signs within Riverside
21 Municipal Airport and which serve leases of the Riverside Municipal Airport
22 shall be governed by the document "Riverside Municipal Airport Sign
23 Criteria" as adopted by resolution of the City Council and shall not be
24 restricted by this title, other than requirements for permits, maintenance and
25 safety. Exceptions are signs oriented so as to be primarily viewed from any
26 public street other than Airport Drive.

27 **19.76.090 Office, Commercial and Industrial Building Signs.**

Generally, each establishment located in a non-residential zone is allowed to at least one building sign per building frontage that is oriented toward a parking lot, mall, street, driveway, alley or freeway, as well as one window sign per entrance and one under canopy sign per building frontage. Monument signs are allowed based on site development and size criteria. Specific standards for each type of sign are stated in the relevant portions of this Chapter.

A. Building Signs. For each use or occupancy, one building sign per building frontage oriented toward a parking lot, mall, street, driveway, alley or freeway, a maximum of one square foot of sign per lineal foot of frontage of the lease space or building occupied by the use, but not to exceed 200 square feet of total sign area. For each lease space or building with a minimum width of 80 feet, a maximum of two building signs shall be allowed on each building frontage oriented toward a parking lot, mall, street, driveway, alley or freeway. Total square footage of all signs on each building frontage shall not exceed one square foot of sign per lineal foot of building frontage, up to a maximum of 200 square feet combined area of all signs on a given frontage.

B. Window Signs. For each use or occupancy, one window sign for each public entrance, not exceeding nine square feet per sign, shall be permitted.

C. Under Canopy Signs. For each use of occupancy, one under canopy sign, no exceeding nine square feet, shall be permitted.

- 1 **D. Signs Above the Third Floor.** Building signs shall not be allowed above the third
2 floor, except that, in lieu of signs on the second and third floors, one sign may be
3 placed as near the top of the building, but not projecting over the roof line, on each
4 frontage, subject to: maximum area: one square foot of sign per frontage foot of
5 building, up to one hundred square feet per frontage for a building two to four stories
6 high, up to one hundred fifty square feet for a building five to six stories high, up to
7 two hundred square feet for a building seven to ten stories high and up to two
8 hundred fifty square feet for a building over ten stories high.

9 **19.76.100 Office, Commercial and Industrial Freestanding Signs.**

- 10 **A.** Any freestanding sign that is oriented so as to be visible from an adjacent freeway is
11 subject to the granting of a Minor Conditional Use Permit by the City Planning
12 Commission. Upon review, the Commission (or the City Council on appeal) shall
13 not consider the graphic design of the copy or display face.

- 14 **B. For uses in Office and Commercial Zones not in an Office and Commercial**
15 **Complex.** Generally for business identification, one on-premises monument sign,
16 maximum twenty-five square feet in area and six feet in overall height, displaying
17 one article of information.

18 **C. Commercial Complexes in Commercial Zones**

- 19 1. **Sign Programs.** For all new office and commercial complexes, a sign
20 program shall be prepared for Planning staff approval prior to issuance of any
21 sign permits. New sign programs for existing commercial complexes may
22 also be required at times of renovation.
- 23 2. **Sign Placement.** Where signs are placed on both major and secondary street
24 frontages, each such sign shall be placed as near to the middle of the street
25 frontage as practical or at a major driveway entrance to the commercial
26 complex from the street frontage.
- 27 3. **One on-premises monument or pole sign for each commercial complex**
as follows:
- a. For commercial complexes of less than two acres (net site area), one
maximum thirty-square-foot-six-foot-high on-premises monument
sign, displaying a maximum of two articles of information.
- b. For commercial complexes of at least two acres, but less than six
acres (net site area), one maximum forty-square-foot, eight-foot-high
on-premises monument sign, displaying a maximum of two articles
of information.
- c. For Commercial complexes of at least six acres, but less than ten
acres (net site area):
- i. Major Street Frontage: One maximum fifty-square foot, eight-
foot-high on-premises monument sign, displaying a maximum
of two articles of information.
- ii. Secondary Street Frontage: For each secondary street frontage
with at least three hundred feet of length, one maximum

twenty-five-square-foot, six-foot-high on premises monument sign, displaying one article of information.

d. For commercial complexes of ten acres or more (net site area):

i. Major Street Frontage: One maximum one-hundred-square-foot, twenty-five-foot-high on-premises pole sign, displaying a maximum of three articles of information.

ii. Secondary Street Frontage: For each secondary street frontage with at least three hundred feet of length, one maximum twenty-five-square-foot, six-foot-high on-premises monument sign, displaying one article of information.

D. **For Uses in the RO Zone, not within an Office Complex.** One on-premises monument sign, maximum fifteen square feet in area and six feet in overall height, displaying one article of information.

E. **For uses in the MP, M-1, M-2, AIR and AI Zones not in an industrial complex:** One maximum fifty-square-foot, eight-foot-high on-premises monument sign, displaying a maximum of two articles of information.

F. **For uses in the MP, M-1, M-2, AIR and AI Zones within an industrial complex:** One maximum fifty-square-foot, eight-foot-high on-premises monument sign displaying a maximum of two articles of information. For each additional 300 feet beyond the first 300 feet of street frontage, one additional monument sign shall be allowed, up to a maximum of three signs, each displaying a maximum of two articles of information.

19.76.110 Residential Signs.

A. In any residential zone, except the RA Zones, the following regulations shall apply, where applicable:

1. **One -and Two-Family Dwellings.** One building mounted or freestanding on-premises sign for each separate dwelling unit, not exceeding six square feet in area, is permitted. On parcels with more than one such dwelling, on-premise signs shall not be combined. Such sign may not be used for the display of commercial messages other than real estate signs.

2. **Planned Residential Developments, Multiple-Family Dwellings and Mobile Home Parks.** For planned residential developments, multiple-family dwellings and mobile home parks, one on-premises building or monument sign, not exceeding twenty-five square feet in area per display face, is permitted for each public street frontage. Monument signs may not exceed six feet in overall height. In lieu of a freestanding sign, two single-sided, wall mounted-signs not exceeding twenty-five square feet per display face is permitted for each public street frontage when located at a project entry point.

3. **Individual Units in Multiple Unit Developments.** Subject to the property owners consent in all multiple unit developments, individual residential units may display window signs not exceeding 15% of the total surface area of all windows facing public view.

1 **B. RA Zones.** In the RA zones, one unlighted on-premises monument sign not
2 exceeding twelve square feet in area and six feet in overall height, is permitted.

3 **19.76.120 Reserved.**

4 **19.76.130 Directional Signs.**

5 On properties containing public parking areas in any zone, monument directional signs, not
6 exceeding six square feet in area per display face and four feet in overall height, shall be
7 permitted at each public entrance to or exit from the public parking area. Building mounted
8 directional signs shall also be allowed as necessary to direct persons to specific functions of
9 a business with separate exterior entrances. Such signs shall not exceed six square feet in
10 area and shall be situated directly above or to the side of the entrance being identified.

11 **19.76.140 Drive-Through Restaurant Menu Boards.**

12 In addition to permitted commercial building and monument signs, drive-through restaurants
13 shall also be entitled to up to two eight-foot-high menu ordering signs with a total combined
14 square footage of up to forty square feet. Where two or more drive-thru lanes are approved,
15 up to three eight-foot-high menu ordering signs with a total combined square footage of up
16 to sixty square feet, shall be permitted.

17 **19.76.150 Flags.**

18 Flags may be displayed without a permit at all times and in all zones; all poles must comply
19 with applicable Building Code requirements. Flags are limited to the display of non-
20 commercial speech. Flag display is subject to:

21 **A. Complexes of Commercial, Office and Industrial Uses.** Each complex of
22 commercial, office or industrial uses, consisting of three or more uses on a single
23 parcel or contiguous parcels with common off-street parking and access, may display
24 not more than three maximum sixty-square-foot flags on not more than three
25 maximum thirty-five-foot-high poles. If separate poles are used, the distance from
26 one pole to another may not exceed twenty feet. Any illumination shall be oriented
27 and shielded not to glare into adjacent properties.

28 **B. Residential Subdivisions and Condominiums.** Each residential subdivision or
29 condominium with new, previously unoccupied dwelling units for sale may display
30 one flag, maximum twenty-five-square-foot on a twenty-foot-high pole, per model
31 home in a model home complex. Such poles must be situated not closer than ten feet
32 from the public right-of-way and within twenty feet of the model complex or sales
33 office. If separate poles are used, the distance from one pole to another may not
34 exceed ten feet. A residential subdivision or condominium is considered to be all lots
35 under a parent tract number including all phases.

36 **C. Apartments and Mobile Homes.** Complexes of four or more apartments or mobile
37 homes sharing common private access and/or parking may display not more than
38 three maximum twenty-five-square foot flags on not more than three maximum
39 twenty-foot-high poles. If separate poles are used, the distance from one to another
40 may not exceed ten feet.

41 **D. All Other Nonresidential Uses.** Each occupied parcel containing a nonresidential
42 use, other than described in paragraph 1 of this subdivision, may display not more
43 than three maximum sixty-square-foot flags on not more than three maximum thirty-

five foot-high poles. If separate poles are used, the distance from one pole to another may not exceed ten feet.

- E. **All Other Residential Uses.** Each occupied parcel containing a residential use, other than described in paragraphs B and C of this subdivision, may display one maximum twenty-five-square-foot flag on one maximum twenty-foot-high pole.

19.76.160 Hazard Signs.

- A. Permitted in all zones. Warning signs shall be allowed as necessary to warn of hazards pertaining to the property; provided, however, that such signs are placed at least seventy-five feet apart from each other and that such signs do not exceed one square foot each in size and six feet in overall height.

19.76.170 Historic Signs.

- A. Purpose. The purpose of the following sign regulations is to further the City's historic preservation efforts and the provisions of this Historic Signs Section may be used in lieu of other sign regulations as specified in this Section. These regulations are intended to allow the construction and installation of signs that, while not in compliance with sign regulations elsewhere in this Chapter, would be in character with the building or district on/in which it is proposed to be located. It is, however, not the intent of these regulations to require all signs on a designated historic building to be exact replicas of the signs that would have been on the building when it was new. This section shall apply only to businesses with ground-floor frontage and access. All decisions regarding appropriate sign types and applications shall be made by the City staff in accordance with Title 20 of the Municipal Code. Any appeal of staff decision shall be in accordance with Title 20 of the Municipal Code.

1. Signs for Designated Historic Resources (Structures of Merit or Landmarks) and Contributors to Designated Historic Districts:

- a. **Projecting Signs, Vehicle Oriented.** In lieu of a permitted building sign, a double faced projecting sign may be installed, provided such sign does not exceed the size allowance for the building sign it replaces, such sign does not project more than 48 inches from the building face, and the sign is located more than ten feet above sidewalk grade.
- b. **Projecting Signs, Pedestrian Oriented.** In lieu of a permitted under canopy sign, a maximum 4 square foot projecting sign may be installed. Such sign shall project no more than 30 inches from the building face and shall be no less than 8 feet nor more than 10 feet above sidewalk grade.
- c. **Roof Signs.** In lieu of permitted freestanding signs or Vehicle Oriented Projecting Signs, as allowed by 19.76.017.1.a. Where documented evidence can be established for the presence of a roof sign within the period of significance of a building that is a designated Structure of Merit or Landmark or a building that is a contributor to a designated historic district, such roof sign may be replicated in its original historic size, shape, like-appearing materials, and placement to identify a current use in the building.

1 **B. Design Review.** Any sign governed by this Section shall be:

- 2 1. Designed to have the appearance of a historic sign appropriate to the building
3 and/or period of significance of the Historic District.
4 2. In compliance with current structural and electrical regulations.
5 3. Subject to administrative review and approval per the standards, criteria, and
6 procedures of Title 20 of the Municipal Code.

7 **C. Sign Lighting.** Lighting shall be in accordance with historically appropriate lighting
8 types. This includes neon, individual incandescent bulbs, and overhead goose-neck
9 lighting, subject to compliance with current electrical codes.

10 **D. Encroachments into the Public Right-of-Way.** Any sign that would encroach into
11 the public right-of-way shall first obtain an encroachment permit from the Public
12 Works Department.

13 **19.76.180 Hospitals.**

14 **A. Monument Sign.** One on-premises monument sign for each street frontage,
15 maximum fifty square feet in area and six feet in overall height.

16 **B. Building Signs.** Building signs shall be allowed per section 19.76.09.

17 **C. Directional Signs.** Directional signs shall be allowed per section 19.76.13.

18 **19.76.190 Murals.**

19 For the purposes of this Sign Code, murals are considered public art, not signs. The intent
20 of this section is to establish a standard for murals, which comply with the definition found
21 in 19.76.34. Design Review approval is required.

22 **A.** Mural as defined by 19.76.34. Design review approval for murals shall be subject to
23 the following standards:

- 24 1. A mural shall be integrated into the design of the structure on which it is to
25 be placed, with logical borders and orientation.
26 2. A mural shall use colors and a design complementary to the colors and design
27 of the structure on which it is to be placed.
28 3. A mural shall not obscure or detract from the architecture of the structure on
29 which it is to be placed.
30 4. No commercial image, logo or trademark may be mounted on the same visual
31 plane as the mural.

32 **B. Building Permit.** No building permit is required when the mural is painted onto an
33 existing building surface. Construction of new backgrounds or building surfaces for
34 the mural is subject to approval of the Planning and Building and Safety Department
35 and may require building permits.

1 **19.76.200 Non-conforming Uses.**

2 Any commercial, industrial or office use which is nonconforming, under Section 19.04 of
3 this code, may display one building sign for each building wall facing a parking lot, mall,
4 street or alley, subject to: maximum area: one square foot of sign per front foot of wall on
5 which the sign is to be situated, up to a maximum of twenty-five square feet per sign.

6 **19.76.210 O Zone, Clubs, Places of Worship, Institutional Uses, Lodges, Public**
7 **Facilities, Schools and all other non-commercial/non-residential uses.**

8 **A. Applicable to freestanding uses only in the O Zone and the listed uses in all zones:**

- 9 1. Any freestanding sign that is oriented so as to be visible from an adjacent
10 freeway is subject to the granting of a Minor Conditional Use Permit by the
11 City Planning Commission.
- 12 2. **Monument Sign.** For sites less than one acre in size, one on-premises
13 monument sign, maximum fifteen square feet in area and six feet in overall
14 height, displaying a maximum of two articles of information. For sites
15 greater than one acre in size, one on-premises monument sign, maximum
16 twenty-five square feet in area and six feet in overall height, displaying a
17 maximum of two articles of information.
- 18 3. **Building Signs.** One on-premises building sign for each street frontage, with
19 a maximum of one square foot of sign area per lineal foot of building
20 frontage, but not to exceed 24 square feet of total sign area.
- 21 4. **Window Signs.** One on-premises window sign for each public entrance, not
22 exceeding nine square feet per sign.
- 23 5. **Under Canopy Signs.** One maximum four-square- foot on-premises under
24 canopy sign, per frontage.
- 25 6. **Directional Signs.** Directional signs shall be allowed per section 19.76.13.
- 26 7. **Readerboard signs.** Readerboard signs for shall be governed by section
27 19.76.23.
- 28 8. Where these uses are located within Commercial, Office or Industrial
29 Centers, signs shall be allowed per Sections 19.76.09 and 19.76.10.

30 **19.76.220 Parking Lots and Garages.**

- 31 **A. Where Rates are Charged.** On-premises building or monument signs including
32 information identifying the lot/garage or operator and referring to the availability of
33 and charges for parking spaces in the parking lot/garage, not exceeding twenty-five
34 square feet in area per display face, are permitted; provided that there shall be not
35 more than one such sign on each lot frontage on a public street or public alley.
36 Monument signs shall not exceed six feet in overall height.
- 37 **B. Where Rates are Not Charged.** Directional signs are allowed in accordance with
38 Section 19.76.013.

1 **19.76.230 Readerboard Signs.**

2 **A Theaters.** Theaters offering live performances or motion pictures and having
3 permanent seating for at least one hundred persons may, in lieu of on-premises
4 building sign, display one readerboard sign using either manually or electronically
5 changeable copy, maximum one and one-half square feet of signage for each front
6 foot of building frontage; not to exceed one hundred square feet of signage per
7 frontage;

8 **B. Elementary, Middle and High Schools.** Elementary, middle and high schools shall
9 be permitted one freestanding or building mounted combination readerboard on-
10 premises sign per use as described below:

11 **1. Sites Less Than Fifteen Acres.** One maximum forty-square-foot, six-foot-
12 high static or readerboard on-premises, monument sign or forty-square-foot
13 static or readerboard building sign. Manually changeable or electronic
14 readerboard copy is permitted.

15 **2. Sites Fifteen Acres or More.** One maximum sixty-five-square foot, fifteen-
16 foot-high static or readerboard on-premises pole sign or sixty-five-square foot
17 static or readerboard building sign. Manually changeable or electronic
18 readerboard copy is permitted.

19 **C. Public Entertainment Venue.** Public entertainment venues, as defined by Section
20 19.04.409 shall be permitted one freestanding or building mounted combination
21 readerboard on-premises sign per use, selected from the following options:

22 **1. Sites Less than Fifteen Acres.** One maximum forty-square-foot, six-foot-
23 high combination readerboard on-premises monument sign using either
24 manually or electronically changeable copy, or one building mounted sign
25 shall be permitted, located on the frontage occupied by the use, maximum
26 one and one-half square feet of sign for each front foot of the occupancy
27 frontage, not to exceed one hundred square feet. A Readerboard sign shall be
in lieu of a permitted freestanding or building mounted on-premises sign.
Message shall consist of static copy changed no more frequently than twice
each twenty four hours. A readerboard sign shall be in lieu of a permitted
freestanding or building mounted on-premises sign.

2. Sites Fifteen or More Acres. One maximum sixty-five-square-foot, fifteen-
foot-high combination readerboard on premises pole sign using either
manually or electronically changeable copy, or one building mounted sign
shall be permitted, located on the frontage occupied by the use, maximum
one and one-half square feet of sign for each front foot of the occupancy
frontage, not to exceed one hundred square feet. A Readerboard sign shall be
in lieu of a permitted freestanding or building mounted on-premises sign.
Message shall consist of static copy changed no more frequently than twice
each twenty four hours. A readerboard sign shall be in lieu of a permitted
freestanding or building mounted on-premises sign.

D. Amusement Parks Over 24 Acres Within one hundred feet of a Freeway. In lieu
of the freestanding sign allowed above, one maximum seven-hundred-fifty-square-
foot, sixty-six-foot-high combination readerboard-on-premises pole sign oriented
toward the adjacent freeway. Readerboard copy may consist of either manually or
electronically changeable copy. All readerboard copy shall consist of letters no more

1 than thirty inches high. Messages shall consist of static copy changed no more
2 frequently than twice each twenty four hours. The readerboard portion of the sign
3 shall not exceed the lesser of 218 square feet or 75% of the overall sign size. Lighted
4 messages shall be limited to incandescent white bulbs. The sign shall comply with
5 all applicable Caltrans standards for signs adjacent to freeways.

6 **19.76.240 Real Estate Signs.**

7 **A. For real estate offered for sale, rent or lease (not including transient occupancy).**
8 Subject to the regulations and conditions stated in this subsection, the signs described
9 in this subsection may be displayed without permits. The signs allowed under this
10 subsection shall be removed not more than five days after the proposed transaction
11 has closed, or the property is withdrawn from the market.

12 **1. Residential Properties.** On all properties with a residential principal use,
13 one temporary freestanding unlighted maximum four-square-foot real estate
14 sign may be displayed per street frontage not to exceed six-feet in overall
15 height. Such signs shall be removed within five days following the closing
16 of the proposed transaction, or the withdrawal of the offer or solicitation.

17 **2. All Non-residential Properties.** On non-residential properties, and
18 properties containing both legal residential and non-residential uses, real
19 estate signs may be displayed, using either of the following options.

20 **a. Freestanding signs.** One maximum twenty-four-square-foot, eight-
21 foot-high, double-faced, freestanding for sale, rental or lease sign per
22 street frontage is permitted. On sites having more than one frontage
23 or on interior lots at least two-and-one-half acres in size, an option of
24 placing the sign faces at a forty-five-degree angle to each other is
25 permitted. Signs shall be located no closer than two feet from public
26 sidewalks and twelve feet from the curbline or from the pavement
27 where curbs are lacking. In no case shall signs be placed in the public
right-of-way. In the event a building sign is installed as permitted in
paragraph B.2. of this subdivision, the freestanding sign herein
described shall not be permitted.

b. Building Signs. In Lieu of a permitted freestanding sign, one for
sale, rental or lease building sign per frontage, a maximum twenty-
four square feet in area shall be permitted for buildings or
occupancies within sixty-three feet from the curbline or from the
pavement where curbs are lacking. In the event a freestanding sign
or signs are installed as permitted in paragraph B.1. of this
subdivision, the building sign herein described shall not be permitted.

B. Time Limit. Such signs shall be removed within five days following close of escrow
or finalization of sale, rental or lease.

19.76.250 Service Station Signs.

The regulations stated in this section apply to the stated land uses, regardless of zone.

A. Gasoline Retailer / Service Station Signs. Service stations, whether situated on an
independent parcel, or incorporated as part of a commercial, industrial or office

complex, shall have independent freestanding sign rights and are not restricted by the number of signs serving uses not related to the service station.

1. Freestanding Signs

a. **On-site/Price Monument Sign.** For each gasoline retailer / service station, one monument sign, maximum fifty square feet in size and maximum six feet in overall height shall be permitted. The price portion of the sign may not exceed thirty square feet and must include all price advertising as required by State law.

b. **On-site Pole Sign - Freeway Adjacent Locations.** For gasoline retailer / service stations located contiguous to a freeway, where a freeway exit serves the street from which the service station takes direct access, in addition to the on-premises/price monument sign allowed in the preceding paragraph, one on-premise pole sign, maximum one hundred square feet in size and forty-five feet in overall height, situated so as to be directed toward and permanently viewable from the freeway, shall be permitted subject to the granting of a Conditional Use Permit.

c. **Secondary Price Sign.** In addition to the on-premises/price monument sign allowed by paragraph (A)(1)(a) of this subdivision, each service station may display a maximum of one non-lighted, double-faced changeable copy price sign, maximum fifteen square feet in display area and six feet in overall height. However, no permit for such a price sign shall be issued, however, until the City receives a written communication from the State Department of Agriculture Division of Weights and Measures stating that a secondary price sign is necessary in order to meet the fuel identification requirements.

2. **Building and Gas Canopy Signs.** Building and gas canopy signs shall be limited to two on-premises signs totaling no more than thirty square feet in combined display area. For service stations with multiple uses, one additional building sign and ten additional square feet of combined sign area shall be allowed for each use, with a maximum of five signs with a combined sign area limit of sixty square feet.

3. **Pump Island Signs.** Each gasoline retailer / service station may display two pump island signs per pump island to distinguish self-serve from full-serve pump islands. Such signs must be permanently affixed to the pump island they identify. Each sign may not exceed four square feet in overall size.

4. **Window Signs.** One window sign for each public entrance, not exceeding nine square feet per sign.

19.76.260 Temporary Signs.

A. All paper signs, banners, balloons, streamers, placards, pennants, or portable signs which direct, promote, attract, service, or which are otherwise designed to attract attention are prohibited, except that the following temporary signs shall be permitted in all non-residential zones:

- 1 **1. Grand Opening Banners.** One banner not exceeding sixty square feet shall
2 be permitted for a period not exceeding thirty consecutive days for the
3 opening of a new business at the site where the banner is to be displayed. The
4 banner shall be stretched and secured flat against the building surface and
5 shall not extend higher than the building eave or the building parapet wall.
- 6 **2. Temporary Event Signs.** Temporary event or activity signs not exceeding
7 fifteen percent of the total window area, or forty square feet, whichever area
8 is less, may be displayed in the window area, except for the area between four
9 feet and eight feet above the floor level, which shall be kept free of any signs
10 as a clear zone for security. There shall be no time limit on the display of
11 these signs. Such signs may be painted in water soluble paints or constructed
12 of paper, wood, fabric, plastic or similar materials. All paper signs must be
13 mechanically printed. Hand-lettered signs are not permitted. There is no limit
14 on the number of colors that can be used in these signs, however, fluorescent
15 colors as defined under Section 19.76.140 are prohibited.
- 16 **3. Construction Signs.** Construction period signs as defined in 19.76.140. In
17 all zones, unlighted freestanding or wall signs are allowed. All such signs
18 shall be displayed only on the lot or parcel on which the construction is
19 occurring and only during the construction period. Such signs and support
20 structures and fasteners shall be totally removed prior to release for
21 occupancy. Signs shall not exceed 32 square feet in area.
- 22 **4. Subdivision Signs.** Temporary Subdivision signs as defined in 19.76.140. In
23 all zones, a maximum of three unlighted double-faced temporary subdivision
24 signs, not exceeding forty square feet in area per display face and fifteen feet
25 in overall height, may be erected and maintained with a subdivision during
26 sale of the lots. Such signs shall be located within the subdivision and shall
27 be a minimum distance of three hundred feet apart from each other. All signs
shall be removed at the close of escrow of the model complex houses.
- 5. Non-commercial Message Signs on Residential Uses.** On residential uses,
non-illuminated temporary signs, maximum four-feet in height, totaling no
more than six-square-feet in area; temporary signs displaying non-
commercial messages may be displayed at any time. However, during the
period of time beginning 60 days before a general, special, primary or runoff
election, and ending 15 days after such election, the amount of display area
may be doubled. Flags do not count toward the signage allowed under this
provision

19.76.270 Prohibited Signs and Sign Elements.

Unless otherwise permitted by a specific provision of this Chapter, the following sign types are prohibited in all zones:

- A. Moving Image Signs.** Signs which blink, flash, shimmer, glitter, rotate, oscillate or move, or which give the appearance of blinking, flashing, shimmering, glittering, rotating, oscillating or moving.
- B. Permanent Signs Displaying Off-Site Commercial Messages.** Permanent structure signs displaying commercial messages (billboards) are prohibited in all zones.

- 1 C. **Portable Signs.** Unless expressly allowed by another provision of this Chapter,
2 portable signs are prohibited in all zones.
- 3 D. **Signs Interfering With Traffic Safety.** Signs that create a safety hazard by
4 obstructing clear view of pedestrian and vehicular traffic, whether by blocking the
5 visibility triangle or otherwise, or which create confusion because by color, wording,
6 or location resemble or conflict with any traffic control sign or device, are prohibited
7 in all zones.
- 8 E. **Roof Signs.** Roof signs are prohibited in all zones.
- 9 F. **Advertising Statuary.** All forms of advertising statuary are prohibited in all zones.
- 10 G. **Bench Signs.** All forms of bench signs or bus stop commercial advertising are
11 prohibited in all zones.
- 12 H. **Fluorescent Colors.** Prohibited colors are listed on the fluorescent color chart as
13 adopted by the Planning Commission under Zoning Code Amendment Case AM-
14 008-945, are kept on file in the Planning Department, and are a representation of a
15 wider range of fluorescent shades. This color limitation does not apply to non-
16 commercial messages on signs.
- 17 I. **Commercial Mascots.** All commercial signs held, posted or attended by commercial
18 mascots as defined in 19.76.34 are prohibited in all zones.

19 **19.76.280 Permits.**

- 20 A. **Permits Generally Required.** Unless a particular type of sign is specifically
21 exempted from the permit requirement, by a provision of this Chapter or other
22 applicable law, no person shall erect, change or replace any sign allowed by the
23 provisions of this Chapter without first having obtained the necessary permits. A
24 permit is required whenever there is a change to the lighting, supports, structure or
25 mounting device of a sign. When design review and / or a cultural heritage permit are
26 applicable to a proposed sign, those approvals must be obtained before a sign permit
27 application may be processed.
- 28 B. **Zoning Administrator, Planning Commission or Cultural Heritage Board
Approval.** In reviewing signs for design review approval or a cultural heritage
29 permit, the Zoning Administrator, Planning Commission and the Cultural Heritage
30 Board may base their decisions upon the standards contained in Chapter 19.62 and
31 Title 20 respectively, as applied only to the structural and locational aspects of the
32 signs.
- 33 C. **Signs Exempt from Permitting.** In addition to specific provisions elsewhere in this
34 Chapter which exempt certain signs from a permit requirement, the following signs
35 do not require a permit: signs of public service and utility companies indicating
36 danger and aids to service and public safety; signs less than four square feet in area
37 indicating the hours of operation of an establishment and whether such establishment
38 is presently open to the public; signs not visible to the public from any portion of the
39 public right of way; railroad crossing signs; traffic or municipal signs posted by
40 governmental agencies; legal notices posted pursuant to law or court order; changes
41 to the copy of approved readerboards and directory signs.

- 1 **D. Sign Permit Process.** The application for a sign permit shall be made in writing on
2 a form provided by the Director and shall be accompanied by any fee established by
3 City Council resolution. The Director shall create a standard form to be used as an
4 application for a sign permit; when approved, the application shall constitute the
5 permit. A single application may be used for multiple signs proposed for the same
6 lot, parcel or use; however, decisions and conditions may pertain to individual signs.
7 Such application may call for any of the following information:
- 8 1. The street address, assessor's parcel number, and name and contact
9 information for the legal owner of record of the property;
 - 10 2. Proof of the consent of the property owner or other person in control or
11 possession of the property. For example, if the subject property is leased and
12 the applicant is the lessee, the lessee must demonstrate that the sign complies
13 with all provisions of the lease related to signage, or submit a written
14 landlord's consent;
 - 15 3. If the property is subject to a Conditional Use Permit, either a copy of such
16 permit or the number of such;
 - 17 4. Any pending zoning or code enforcement matters concerning the property or
18 an establishment thereon;
 - 19 5. Whether the parcel or use is the subject of any outstanding orders for
20 removal, repair, or other corrective action regarding any sign;
 - 21 6. A drawing to scale showing the design of the sign, including dimensions, sign
22 size, colors, graphic design, message content (applies to commercial message
23 signs only), materials, method of attachment, source of illumination and the
24 relationship to any building or structure to which the sign is proposed to be
25 attached or mounted;
 - 26 7. A site plan, including all dimensions, drawn to scale, indicating the location
27 of the sign relative to property lines, rights-of-way, streets, sidewalks,
vehicular access points and existing buildings or structures and off-street
parking areas located on the premises;
 8. The number, size, type and location of all existing signs on the same building,
site or premises; however, temporary signs need not be shown;
 9. Any structural information and plans necessary to ensure compliance with
building and safety codes.
 10. If the sign is to be constructed and / or installed by a professional sign
company or contractor, such contractor's name and contact information,
along with licensing and bonding information, and the estimated time for
construction and installation of the sign, following all necessary permits and
approvals;
 11. Information regarding interruptions to normal traffic or pedestrian traffic
which may be caused by the construction;

12. Whether the sign or any portion thereof will encroach into or over the public right of way or any property owned by the City;
13. Whether the sign is proposed to be located in a historic preservation district or on a building or structure designated for historic preservation;
14. Information showing compliance with any applicable sign plan, sign program, or redevelopment plan;

E. **Conditions of Approval:** A sign permit application may be approved subject to any of the following conditions, as applicable:

1. Compliance with other legal requirements, including encroachment, building, electrical, plumbing, demolition, mechanical, etc. When such other approvals are necessary, they must be obtained before the sign permit application will be granted.
2. Remedy for outstanding zoning violations: if the sign is proposed to be located on a property on which there is a zoning violation, then the sign permit may be issued upon condition that the violation is remedied before the sign is constructed, or simultaneously therewith.

F. **Processing of Permit Applications.** All sign permits applications shall be initially reviewed as administrative matters by the Director. When a permit application complies with this Chapter and all other application laws, the application shall be granted. An application may be approved subject to such conditions as are necessary for full compliance with this Chapter and all other applicable laws, rules and regulations.

1. **Reference to Cultural Heritage Board.** When a given sign is proposed to be located in a historic district or on a property designated for historic preservation, the permit application shall be referred to the Cultural Heritage Board for review. In considering the matter, the Cultural Heritage Board may not approve any sign for the display of off-site commercial messages, and may not consider the message content of any non-commercial message. As to on-site commercial messages, the Board may not consider the message itself, but may consider whether the manner of presentation is visually consistent with the historical time and theme of the location. Whether the sign is proposed to be used for on-site commercial or noncommercial messages, the Board may consider the architectural and structural aspects for consistency and harmony with the historical theme and time of the proposed location. Unless time is waived by the applicant, the Board shall hold a public hearing and decide the issue within **45 business days** of when the matter is first referred to them.
2. **Notice of Incompleteness.** The Director shall initially review a sign permit application for completeness. If the application is not complete, the Director shall give written notice of the deficiencies within 15 business days following submission of the application; if no notice of incompleteness is given within such time, then the application shall be deemed complete as of the last day on which notice of completeness could have been given. If a notice of incompleteness is given, the applicant shall have 15 business days thereafter

1 to file a corrected and complete application, without payment of additional
2 fee.

- 3 **3. Time for Decision.** Unless time is waived by the applicant, the Director
4 shall issue a written decision on a sign permit application within 45 business
5 days of when the application is deemed complete. Failure to issue such a
6 decision in a timely manner shall be deemed a denial of the application, and
7 create an immediate right of appeal to the Planning Commission. In cases
8 where the Director refers the permit application to the Cultural Heritage
9 Board, then the time for the Director's decision shall be extended by the
10 amount of time necessary for the Board to reach its decision.

- 11 **G. Permits Issued in Error.** In the event that a sign permit is issued, and the issuance
12 is found to be in error at any time before substantial physical work on actual
13 construction has been accomplished, then the permit may be summarily revoked by
14 the City simply by giving notice to the permittee; such notice shall specify the
15 grounds for revocation. In such event, the applicant may reapply within 30 calendar
16 days for a new permit, without paying a new application fee.

- 17 **H. Fees for Signs Constructed Without a Permit.** Where work for which a permit is
18 required by this Chapter is started or proceeded with prior to obtaining such permit,
19 the following late permit fees shall apply. The permit fees shall be computed based
20 upon the date on which application is made for a sign permit, design review approval
21 or cultural heritage permit, or a variance, whichever process is first necessary to
22 obtain a sign permit:

- 23 1. When application is made within thirty days after first notice has been given
24 of the violation, the permit fee shall be two times the established permit fee.
25 2. When application is made between thirty-one and forty-five days after first
26 notice has been given of the violation, the permit fee shall be four times the
27 established permit fee.
28 3. When application is made over forty-five days after first notice has been
29 given of the violation, the permit fee shall be ten times the established permit
30 fee.
31 4. After a sign permit, design review approval or cultural heritage permit, or
32 variance has been applied for, additional time limits may be established for
33 the securing of permits and completion of any additional sign work that may
34 be required. If such time limits are not adhered to, the amount of time by
35 which the deadline(s) is(are) missed shall be added to the time periods noted
36 above for the purpose of establishing the final permit fee.
37 5. In no case shall a late permit fee be assessed in excess of one thousand
38 dollars.

39 **19.76.290 Appeals.**

40 Any official decision or action on a sign-related matter may be appealed to the City Council,
41 and then to judicial review. Any resident of the City, or any person owning or operating an
42 establishment located within the City, or any person claiming ownership of the subject sign,
43 may appeal any sign-related decision.

- 1 **A. Effecting an Appeal.** An appeal is effected by filing a written notice of appeal with
2 the Planning Department within ten business days after the decision is announced,
3 delivered, or posted. The notice of appeal shall identify the appellant, the decision
4 appealed from, and the grounds for the appeal.
- 5 **B. Status Pending Appeal.** While an appeal of a sign-related decision is pending, the
6 status quo shall be maintained, unless the subject sign poses an immediate threat to
7 the public health and safety by virtue of its physical condition and without regard to
8 the message expressed thereon, in which case the sign may be summarily abated as
9 necessary to protect the public health and safety.
- 10 **C. Consideration Factors on Appeal.** On appeal of a sign-related decision, the
11 appellate body shall not consider the message content of any non-commercial speech,
12 and as to commercial speech, may consider only whether the message is on-site or
13 off-site, and the rules contained in this Chapter concerning commercial message
14 signs; the appellate body may consider whether the sign conforms to the provisions
15 of this Chapter, other applicable law, and any applicable sign program or
16 redevelopment plan, and other non-communicative aspects of the sign.
- 17 **D. Time for Appellate Decision.** Following receipt by the Planning Department of an
18 appeal of a sign-related decision, the matter shall be placed on the agenda for the next
19 meeting of the appellate body for which the notice and agenda requirements may be
20 met, but in no event more than 45 business days after the Planning Department
21 receives notice of the appeal. Unless the appellant waives time, the appellate body
22 shall hear and decide the appeal not later than 45 business days after the Planning
23 Department receives the written notice of appeal. A decision by the appellate body
24 shall be in writing and shall set forth findings, based on evidence presented at the
25 public hearing, which supports the decision.
- 26 **E. Judicial Review.** After exhaustion of all internal appeal procedures, an appellant
27 may seek judicial review of any sign-related decision in any court of competent
28 subject matter jurisdiction which also has personal jurisdiction over the City and its
29 officers. An action seeking such judicial review must be filed with the court and
30 served on the City not more than 60 calendar days after the final decision is reached
31 by the City's internal review procedures. Prompt judicial review is available by
32 California Code of Civil Procedure section 1094.8.

19.76.300 Nonconforming Signs.

- 1 **A. Previously Conforming.** Any sign which fully complied with all applicable law at
2 the time of its construction, and has continued, may be continued in use, but is
3 subject to the standard procedures for abatement of nuisance if it is found to be
4 unsafe because the structure creates an immediate hazard to persons or property.
- 5 **B. Maintenance.** Reasonable repairs and alterations may be made to previously
6 conforming signs, provided that there is no expansion of any nonconformity with
7 current requirements.
- 8 **C. Repair.** In the event any previously conforming sign is damaged, by any cause other
9 than intentional vandalism, and repair of the damage would exceed fifty percent
10 (50%) of the reproduction cost, according to appraisal thereof by competent
11 appraisers, such sign may be restored, reconstructed, altered or repaired only to
12 conform with the provisions of this Chapter.

1 **19.76.310 Enforcement.**

2 The Director may enforce the provisions of this Chapter by appropriate permit decisions,
3 orders and directives. Such decisions, orders and directives may include, but are not limited to,
4 orders to get a permit or to comply with permit conditions, orders to remove, repair,
5 upgrade, repaint, replace or relocate any sign. All such decision, orders and directives are
6 subject to appeal as provided in this Chapter. Any failure to follow a valid order or directive
7 issued by the Director shall be deemed a violation of this Chapter and may be remedied in
8 the same manner as any violation of Title 11 (Zoning) of the Riverside City Municipal Code.
9 Notice of all decisions, orders and directives shall be deemed given when mailed to the last
10 known address of the responsible party or parties.

11 **A. Responsible Parties.** Sign related rights, duties and responsibilities are joint and
12 several as to the owner of the property, the owner of any business or other
13 establishment located on the property, and the owner of the sign.

14 **B. Abandoned Signs.** Any on-site commercial sign associated with a business which
15 has ceased operations for ninety (90) days may be deemed an abandoned sign, and
16 may be ordered removed within 10 business days. The removal duty falls jointly and
17 severally upon the party which used the sign as part of the business and the owner of
18 the land on which the sign is mounted or displayed.

19 **C. Unremedied Violations as Public Nuisance.** When the Director has given a notice
20 of decision, order or directive regarding a sign or sign permit, and any noticed
21 deficiency remains uncured thirty calendar days after the notice has been mailed, the
22 City may enforce any violation and seek any remedy authorized by law, including but
23 not limited to those methods available for any violation of the City's zoning laws,
24 general laws, state or federal law, whether by administrative proceedings, a criminal
25 action, and / or a civil lawsuit for abatement of nuisance (which may include requests
26 for declaratory and injunctive relief), or abatement or removal by the City at the cost
27 of the responsible parties, reimbursement for which may be secured by a lien
 recorded against the property. In any civil court action the prevailing party shall be
 entitled to an award of costs and reasonable attorneys' fees.

D. Removal by City: Public Hearing. In the event that the Director seeks a cure or
 remedy by removal of the subject sign by the City, then the responsible parties shall
 be given thirty calendar days notice of a public hearing before the City Council to
 determine if the subject sign is a public nuisance and if the City should remove it if
 the responsible parties fail to do so with 30 calendar days after the City Council
 decision, or any other corrective action the Council may consider. All responsible
 parties shall be given notice of such hearing by certified mail, prepaid postage,
 addressed to their last known address. At such hearing, all responsible parties shall
 be given an opportunity to be heard, to present evidence and argument, to challenge
 the Director's decision, and to be represented by counsel.

E. Removal by City: Actual Removal, Redemption. If, following the public hearing,
 the Council authorizes removal of the subject sign by the City, said removal may take
 place at any time fifteen or more calendar days following the hearing and decision.
 The City may remove the subject sign by its own force, or by a contracted agent. Any
 removed sign shall be stored by the City for at least thirty calendar days, during
 which time the City shall take all reasonable efforts to notify the sign owner that the
 sign is in the City's possession and may be redeemed by reimbursing the City for the
 cost of removal. If the sign owner fails to redeem the sign within thirty calendar days
 of the notice, then the City may dispose of the sign by any means it deems

appropriate. If the sign is sold, then the net proceeds of such sale shall reduce the reimbursement owed to the City by the responsible parties.

F. **Remedy by City.** In the event that a valid directive or order of the Director is not followed, and is not timely appealed, then the Director may give thirty calendar day written notice and opportunity to cure, to the responsible parties that the City shall take corrective action and assess the cost of doing so as a lien against the property, using such procedures as are required by state or local law. The Director may grant a reasonable extension of time, not to exceed one hundred twenty (120) calendar days to effect the required correction, if the owner or occupant of the premises has made proper application for a new sign which would accomplish the same result.

G. **Removal - Scope.** If the option of removing a sign or signs is exercised, whether by private parties or by the City, said sign(s) shall be completely removed, including all poles, structures, electrical equipment, cabinets and sign faces. Building walls, grounds or other items on which such signs have been placed shall be restored to good repair and appearance.

19.76.320 Sign Contractors.

A. **Responsibility for Securing Permits.** It shall be the duty of the contractor or person who erects, installs, paints, constructs or alters a sign to secure all necessary permits for such work. It shall be the responsibility of the property owner and/or lessee to assure that the contractor is properly licensed and bonded, and that the contractor secures all necessary permits. No sign contractor shall install a sign for which a permit is required unless such permit has been duly issued before construction work begins. A sign permit shall not be issued unless the sign contractor's name and contact information appears on the permit application.

B. **Identification Label.** All signs installed by sign contractors have attached to them an identification label, not over four square inches in size, which lists the following information: installed by (contractor's name), city permit number, electrical current, month and year erected, Said label shall not exceed four square inches. Said label, and all other labels, shall be placed as directed by the Planning Director or the Planning Director's representative.

C. **Violations by Sign Contractors.** Wherever a sign violation has occurred, it shall be the duty of the zoning inspector to determine what sign contractor, if any, performed the sign work. The following procedure shall be followed in pursuing sign contractors installing signs for which a valid permit has not first been secured:

1. **First Violation.** A letter shall be sent by certified mail to the sign contractor setting forth the City's requirements for sign permits and indicating that future violations will result in a complaint being filed with the Contractors' State License Board and/or legal action being taken against said contractor.

2. **Second Violation.** A complaint shall be filed with the Contractors' State License Board and a copy of such complaint shall be sent to the sign contractor with a letter indicating that legal action may be taken if further violations occur. All correspondence shall be by certified mail.

3. **Third and Subsequent Violations.** Legal action may be taken against the contractor, using any method authorized by law.

1 **19.76.330 Safety Regulations Generally.**

- 2 **A. Interference with safety passages.** No sign or sign structure shall be erected in such
- 3 a manner that any portion of its surface or supports will interfere in any way with the
- 4 free use of any fire escape, exit or standpipe. No sign shall obstruct any window to
- 5 such an extent that any light, ventilation or access is reduced to a point below that
- 6 required by any law or ordinance.
- 7 **B. Proximity to Electrical Facilities.** No sign or structure shall be erected in such a
- 8 manner that any portion of its surface or supports shall be within six feet of overhead
- 9 electric conductors which are energized in excess of seven hundred fifty volts, nor
- 10 within three feet of conductors energized at zero to seven hundred fifty volts.
- 11 **C. Electrical Signs.** Electrical signs shall bear the label of an approved testing
- 12 laboratory. Said label shall not exceed four square inches. Said label shall be placed
- 13 as directed by the Planning Director or the Planning Director's representative.
- 14 Electrical signs and appurtenant equipment shall be installed in accordance with the
- 15 Electrical Code.
- 16 **D. Engineering Design and Materials.** Signs shall be designed and constructed as
- 17 building elements or structures in accordance with the provisions of the Building
- 18 Code.
- 19 **E. Confusion with Traffic Signals.** No sign shall be erected in such a manner as to
- 20 interfere with, mislead or confuse traffic.
- 21 **F. Maintenance.** All signs, together with all their supports, braces, guys and anchors,
- 22 shall be kept in repair and in a proper state of preservation. The display surfaces of
- 23 all signs shall be kept neatly painted or posted. The Director may order the removal
- 24 of any sign that is not maintained in accordance with the provisions of this Chapter
- 25 and all other applicable law.
- 26 **G. Inspections.** It shall be the duty of every person who may erect any sign designated
- 27 under this Chapter to afford ample means and accommodation for the purpose of
- inspection whenever, in the judgment of the Director or the Building Official, such
- inspection is necessary. The inspectors for the Public Utilities Department and the
- Fire Department of the City shall also have the right and authority to inspect any such
- signs during reasonable hours.
- H. Liability of Owners.** This chapter shall not be construed to relieve from or lessen
- the responsibility of any person owning, maintaining, operating, constructing or
- installing any sign or other device mentioned in this chapter for damages to life or
- property caused by any defect therein.
- I. City Responsibility for Sign Compliance.** Neither the City or any agent thereof be
- held as assuming any liability by reason of the inspection required by this chapter.
- Nothing in this Chapter waives or diminishes any defenses the City may have in any
- action alleging that the City is responsible, in whole or in part, for damage, loss or
- injury caused by any sign. By enacting this Chapter the City does not waive its
- immunities under California statutory law, including but not limited to the
- governmental immunities

1 **19.76.340 Definitions.**

2 For the purposes of this chapter, the following words and phrases shall have the meaning
3 respectively ascribed to them by this section:

4 **Abandoned sign:** a sign which, for a period of ninety days or more, does not provide
5 direction for, advertise or identify a legal business establishment on the premises where such
6 a sign is displayed.

7 **Advertising statuary:** a statue or other three dimensional structure in the form of an object
8 that identifies, advertises, or otherwise directs attention to a product or business. The
9 smallest of the three dimensions must be at least 6 inches.

10 **Approving authority:** the designated planning agency responsible for the review of and
11 action on land use and development permits and approvals.

12 **Architectural element:** a design element incorporated into a freestanding sign for the
13 purpose of making the sign reflect the architecture of the building(s) which house(s) the
14 establishment(s) it identifies.

15 **Area of a sign:** the area within a maximum of two elements, with each element comprised
16 of a maximum four continuous straight lines enclosing the entire perimeter of the sign
17 including all text, emblems, arrows, ornaments or other sign media. When two elements are
18 used, they must share at least one point in common. For monument or pole signs, when two
19 identical sign faces are placed back to back on the same structure, the sign area shall be
20 computed by the measurement of one sign face. For signs with more than two sign faces, the
21 sign area shall be computed by including all sign faces.

22 **Article of Information:** a complete name and logo, or concept, or idea, or identifier, or
23 label.

24 **Banner:** a fabric or other flexible material on which message or image is painted or
25 otherwise affixed to a wall, fence, post, light standard or similar mounting device.

26 **Bench sign:** a sign located on a bench or similar structure in or near a public right-of-way,
27 a terminal for public transportation, or park.

28 **Billboard:** A permanent structure sign used for the display of off-site commercial messages;
29 also, a permanent structure sign which is a principal, as opposed to auxiliary, use of the
30 property, or portion thereof, where it is located.

31 **Building Frontage:** for the purpose of calculating sign areas, "building frontage" means the
32 linear measurement of exterior walls enclosing interior spaces that are oriented to and most
33 nearly parallel to public streets, public alleys, parking lots, malls or freeways.

34 **Building sign:** a sign with a single face of copy, painted or otherwise marked on or attached
35 to the face of a building wall, mansard roof or canopy fascia. Signs placed on a mansard roof
36 are considered building signs only if such signs do not extend above the top of the main
37 building wall parapet to which the mansard roof is attached.

38 **Building wall:** the vertical face of a building.

39 **Business day:** a day on which City Hall is open to the public.

1 **Canopy:** a fixed overhead shelter used as a roof, which may or may not be attached to a
2 building.

3 **Commercial complex:** a group of three or more commercial uses, or other establishments,
4 on a single parcel or contiguous parcels in a commercial zone, which function as a common
5 commercial area including those which utilize common off-street parking or access.

6 **Commercial message or commercial speech:** a message on a sign which pertains primarily
7 to the economic interests of the sign sponsor and/or the viewing audience. Such messages
8 typically concern proposals for economic transactions and/or the engagement of professional
9 services. (Contrast: non-commercial messages.)

10 **Commercial mascot:** a person or animal costumed or decorated to function as a commercial
11 advertising device. Includes sign twirlers, sign clowns, and persons or animals holding or
12 supporting signs.

13 **Construction sign, or construction project sign:** a temporary sign erected and placed on
14 the site of a building under construction which is subject to a land use approval or building
15 permit requirement, during the time which begins with the issuance of the building permit
16 and ends with the earlier of when construction has passed final inspection or a certificate of
17 occupancy, or its functional equivalent, has been issued.

18 **Curb line:** the line of the face of a curb nearest to the street or roadway.

19 **Directional sign:** a sign used to direct and control pedestrian or vehicular traffic and located
20 on the same lot or premises as the use which it is intended to serve. For traffic safety reasons,
21 a directional sign shall only display non-commercial speech only.

22 **Director:** The Planning Director or designee.

23 **Directory sign:** a sign composed of three or more changeable panels where the copy is a
24 fixed element of the background on which it is placed and when viewed together, all panels
25 form or appear to form a single sign entity.

26 **Electronic message center sign:** a sign having the capability of presenting variable message
27 displays by projecting an electronically controlled pattern against a contrasting background
and which can be programmed to change the message display periodically.

Establishment: a non-residential use of land involving structures which are subject to a
building permit requirement. By way of example and not limitation, "establishment" includes
businesses, schools, churches, hospitals, factories, houses of worship, professional offices,
etc.

Exterior building wall: any wall or element of a wall that defines the exterior boundaries
or courts of a building and that has a slope of 60 degrees or greater with the horizontal plane.

Flag: a device, generally made of flexible materials, usually cloth, paper or plastic, used to
display a non-commercial message or symbol which may or may not contain any copy.

Fluorescent colors: the range of colors created through a synthetic pigmentation process in
which ultraviolet light is absorbed and emitted at a different range within the color spectrum
of the individual colors.

1 **Freestanding sign:** any sign supported by structures or supports that are placed on, or
2 anchored in, the ground, and which is not physically connected to any building or other
structure; common types include pole and monument signs.

3 **Freeway:** a divided highway for through traffic with full control of access, with grade
4 separations at all intersections and in respect to which the owners of abutting lands have no
5 direct right or easement of access to or from their abutting land. A freeway is not a street for
the purposes of this Chapter. A road is not excluded from this definition if a toll is charged
to enter or leave it.

6 **Freeway exit:** any location along a freeway where an exit ramp or exit ramps exist.

7 **Height of sign:** the distance from the average ground level immediately surrounding the base
8 of the sign, to a distance of five feet in all directions, to the top of its highest element,
including any structural or architectural element. Landscape mounding shall not be used to
9 artificially increase the height of a sign.

10 **Industrial complex:** a group of three or more industrial uses or other establishments on a
single parcel or contiguous parcels in an industrial zone, which function as a common
11 industrial area including common off-street parking or access.

12 **Installed:** erected, constructed, posted, painted, printed, tacked, glued, or otherwise fastened,
fixed, or made visible in any manner whatsoever.

13 **Interpretive historic sign:** a sign located within a historic district or a designated historic
14 street right-of-way approved by the Cultural Heritage Board in accordance with design
guidelines for this type of sign, as adopted by the Cultural Heritage Board.

15 **Lighted sign:** a sign that is illuminated either directly or indirectly by artificial light.

16 **Logo:** a graphical symbol that represents a concept, idea, or identifier.

17 **Major street frontage:** the street frontage from which the majority of the pedestrian or
18 vehicular traffic is drawn or toward which the building or buildings are oriented for primary
visual impact. Each commercial complex or shopping center shall be allowed to designate
19 only one major street frontage.

20 **Mall:** an open area located adjacent to urban buildings and designed primarily for pedestrian
traffic, featuring walkways, trees and shrubs, places to sit.

21 **Mansard roof:** a sloped, decorative roof element attached to the face of a building wall.

22 **Monument sign:** a two-sided sign with an overall height of eight feet or less, standing
23 directly on the ground or on a monument base or where supporting poles or structures, if any,
are enclosed by decorative covers.

24 **Mural:** an artistic rendering that does not in any way advertise a product, service or business
25 logo or contain copy that includes a business name or logo.

26 **Neon sign:** a sign comprised partially or entirely of exposed small diameter tubing,
illuminated by neon, argon or other means.

1 **Non-commercial message or non-commercial speech:** a message displayed on a sign
2 which does not qualify as commercial. By way of example only and not limitation, such
3 messages typically concern debatable matters of public concern, such as expression on
4 religion, politics, and social commentary. (Contrast: commercial message.)

5 **Office complex:** a group of two or more office uses or other establishments on a single
6 parcel or contiguous parcels, which function as a common office area including those which
7 utilize common off-street parking or access.

8 **Off-site (or off-premise) sign:** a sign not identifying a business, service, activity or product
9 available, at, or an occupant of, the property where the sign is located. The onsite/ offsite
10 distinction applies only to commercial speech messages.

11 **On-site (or on-premise) sign:** a sign which is used to convey commercial messages and
12 information about the occupant of a building, lot or premises or the merchandise, product or
13 activity available or carried on at the building, lot or premises where the sign is located. The
14 onsite/offsite distinction applies only to commercial messages. In the case of a duly approved
15 sign plan, sign program, specific plan or sign overlay district, "on-site" may be defined to
16 include any combination, (including all) of the parcels, lots, uses or establishments within
17 the boundaries of such plan, program or district.

18 **Painted sign:** a sign which is painted directly on any wall, window, fence or structure of any
19 kind.

20 **Parapet wall:** the portion of the exterior building wall that extends entirely above the roof
21 line.

22 **Pedestrian Mall** A pedestrian mall is established and is described as follows: Main Street
23 between the southerly line of Sixth Street and the northerly line of Tenth Street including as
24 part of the mall the intersection of Main Street with Ninth Street but excluding from the mall
25 the intersections of Main Street with Seventh Street and Eighth Street; and Ninth Street
26 between the westerly line of Main Street and the easterly line of the alley between Main
27 Street and Market Street; and Ninth Street between the easterly line of Main Street and the
westerly line of the alley between Main Street and Orange Street.

Pedestrian Mall sidewalk sign: a sign permitted in Section 19.76.73.

Pennant: a visual communication device generally made of flexible materials, usually cloth,
paper or plastic, and used to attract attention. Most pennants are triangular or rectangular in
shape and are typically longer in the fly than in the attachment.

Planned Residential Development: two or more dwelling units together with related land,
buildings and structures planned and developed as a whole in a single development or a
programmed series of developments that require discretionary approval and involve the
creation of a Home Owners Association to provide for maintenance of common facilities
within the development.

Pole sign: a two-sided sign with an overall height exceeding eight feet and having one or
more supports permanently attached directly into or upon the ground.

Portable sign: a sign which is capable of being easily carried or readily moved from one
location to another.

1 **Projection:** the distance by which a sign extends beyond the building wall or the street
2 property line.

3 **Projecting sign:** a double-sided sign oriented perpendicular to the building wall on which
4 it is mounted.

5 **Public entertainment venue:** a publicly owned or operated facility or any privately operated
6 amusement park having 24 acres or more, which regularly hosts entertainment events open
7 to the general public. (Ord. 6563 §1, 2001; Ord. 6556 § 5, 2001; Ord. 6274 § 1, 1996)

8 **Public Property:** that land or other property owned by the City, or in which the City holds
9 the present right of possession or control, or land or other property which the City holds in
10 trust, as well as all public rights of way.

11 **Readerboard:** a sign structure or mounting device on which at least a portion of the display
12 face may be used for changeable copy of either the noncommercial or onsite commercial
13 types.

14 **Real estate sign:** a sign that provides information about an economic transaction involving
15 real property. Such signs typically indicate whether the property is for lease, rent, or trade,
16 and give contact information. However, signs on establishments offering transient
17 occupancy, such as hotels, motels, inns, and similar places, indicating "vacancy" and similar
18 information, are not within this definition.

19 **Roof sign:** any sign supported by or attached to or projecting through the roof of a building
20 or structure, or projecting above the eave line or parapet wall of the building or structure.
21 Mansard roof or vertical signs are not within this definition.

22 **Secondary street frontage:** a street frontage other than a major street frontage.

23 **Shopping Center:** same as commercial complex.

24 **Sign:** any device, fixture, placard or structure, including its component parts, which draws
25 attention to an object, product, place, activity, opinion, person, institution, organization, or
26 place of business, or which identifies or promotes the interests of any person and which is
27 to be viewed from any public street, road, highway, right-of-way or parking area, or any
28 private road or drive. However, the following are not within the definition of "sign" for
29 regulatory purposes of this Chapter:

- 30 A. Interior signs: Signs or other visual communicative devices that are located
31 entirely within a building or other enclosed structure and are not visible from
32 the exterior thereof or located at least five feet from the window, provided the
33 building or enclosed structure is otherwise legal;
- 34 B. Architectural features: Decorative or architectural features of buildings (not
35 including lettering, trademarks or moving parts);
- 36 C. Symbols embedded in architecture: Symbols of noncommercial organizations
37 or concepts including, but not limited to, religious or political symbols, when
38 such are permanently integrated into the structure of a permanent building
39 which is otherwise legal; also includes foundation stones, corner stones and
40 similar devices;

- 1 D. Personal appearance: Items or devices of personal apparel, decoration or
2 appearance, including tattoos, makeup, wigs, costumes (but not including
3 commercial mascots);
- 4 E. Manufacturers' marks: Marks on tangible products, which identify the maker,
5 seller, provider or product, and which customarily remain attached to the
6 product even after sale;
- 7 F. Fireworks, etc.: the legal use of fireworks, candles and artificial lighting not
8 otherwise regulated by this Chapter;
- 9 G. Mass transit signage: advertisements or banners mounted on trains or duly
10 licensed mass transit vehicles that legally pass through the City.
- 11 H. Certain insignia on vehicles and vessels: On street legal vehicles and properly
12 licensed watercraft: license plates, license plate frames, registration insignia,
13 noncommercial messages, messages relating to the business of which the
14 vehicle or vessel is an instrument or tool (not including general advertising)
15 and messages relating to the proposed sale, lease or exchange of the vehicle
16 or vessel;
- 17 I. Grave stones, grave markers and similar devices;
- 18 J. Newsracks and newsstands;
- 19 K. Door mats, floor mats, welcoming mats, and similar devices;
- 20 L. Legally placed vending machines displaying only onsite commercial or
21 noncommercial graphics.
- 22 M. Legally required information, such as public notices, registration or licensing
23 information, etc.;
- 24 N. Shopping Carts;

25 **Sign Face:** An exterior display surface of a sign including non-structural trim exclusive of
26 the supporting structure.

27 **Sign Program:** a set of design standards or criteria in addition to the sign regulations
contained in this chapter that governs the signs of a designated lot or site.

Sign structure: the supports, uprights, bracing and framework of a sign.

Spandrel sign: a sign or a group of signs located between or extending from the supporting
columns of a canopy structure.

Special boulevard: a boulevard so designated by the Riverside General Plan.

Subdivision: all lots under a parent subdivision number. In the case of a phased subdivision,
all phases combined under the parent number are considered to be a single subdivision. For
the purposes of this chapter, a condominium with individual lots or air space rights for sale
is considered to be a subdivision.

1 **Subdivision sign:** a temporary non-illuminated sign erected and maintained within the
2 boundaries of a recorded subdivision during the time period commencing with the issuance
3 of the first necessary building permit and ending with the issuance of the certificate of
4 occupancy for the last unit to be offered for sale.

5 **Temporary sign:** a sign which by virtue of its construction of lightweight or flimsy materials
6 is not suitable for permanent display; also, a sign which is authorized to be displayed only
7 for a limited amount of time.

8 **Two-sided sign:** a freestanding sign where two sign faces are placed back to back on the
9 same structure, and neither face projects beyond the perimeter of the other. Any other
10 configuration is considered to be a sign with two or more faces.

11 **Under canopy sign:** a sign with a single or double face copy hung below a canopy
12 perpendicular to the adjacent building wall of the business being identified.

13 **Vertical sign:** a single-sided sign whose message is oriented perpendicular to the ground,
14 integrated into the building architecture and located below the top of the parapet wall.

15 **Window sign:** a sign with a single face of copy which is marked on or adhered to a window
16 or which is oriented toward a window and designed to read from the exterior of the building.

17 Section 2: Title 19 is hereby amended to add Chapter 19.77 as follows:

18 **CHAPTER 19.77 PRIVATE PARTY SIGNS ON CITY-OWNED PROPERTY**
19 **AND THE PUBLIC RIGHT OF WAY**

20 **19.77.010 Scope.**

21 **19.77.020 Intent as to Public Forum.**

22 **19.77.030 Private Party Signs Generally Banned.**

23 **19.77.040 Signs Which Are Exempt From the General Ban.**

24 **19.77.050 Definitions.**

25 **19.77.060 Temporary Political, Religious, Labor Protest and Other Noncommercial**
26 **Signs in Traditional Public Forum Areas.**

27 **19.77.070 Projection of Temporary Signs Over Public Rights-of-way.**

19.77.080 Pedestrian Mall Sidewalk Signs.

19.77.090 Riverside Plaza Sign.

19.77.100 Encroachment.

19.77.110 Enforcement.

19.77.010 Scope.

This chapter states the City's policies for the placement of signs by private parties, or other governmental units, on land or other property owned or controlled by the City.

19.77.020 Intent as to Public Forum.

As it relates to the placing of signage on Public Property, the City declares its intent that all Public Property in the City shall not function as a designated public forum, unless some specific portion of Public Property is designated herein as a public forum of one particular

1 type; in such case, the declaration as to public forum type shall apply strictly and only to the
2 specified area and the specified time period, if any.

3 **19.77.030 Private Party Signs Generally Banned.**

4 Except as expressly allowed by a provision of this Chapter, or another provision of law,
5 private parties may not display or post signs on public property or in the public right of way.

6 **19.77.040 Signs Which Are Exempt From the General Ban.**

7 The following signs are exempted from the general ban: Traffic control and traffic directional
8 signs erected by a governmental unit; official notices required by law; signs placed by the
9 City.

10 **19.77.050 Definitions.**

11 **Director:** has the same meaning as stated in the Sign Ordinance, 19.76.34.

12 **Public Property:** means that land or other property owned by the city, or in which the City
13 holds the present right of possession or control, or land or other property which the City
14 holds in trust, as well as all public rights of way.

15 **Sign:** has the same definition as stated in the Sign Ordinance, 19.76.34, except that any
16 exclusion of signs on public property does not apply.

17 **19.77.060 Temporary Political, Religious, Labor Protest and Other Noncommercial
18 Signs in Traditional Public Forum Areas.**

19 In areas qualifying as traditional public forums, such as streets, parks and sidewalks, persons
20 may display noncommercial message signs thereon, provided that their sign displayed on
21 Public Property conforms to all of the following:

- 22 A. The signs must be personally held by a person, or personally attended by one or more
23 persons. "Personally attended" means that a person is physically present within 15
24 feet of the sign at all times.
- 25 B. The maximum aggregate size of all signs held by a single person is 12 square feet.
- 26 C. The maximum size of any one sign which is personally attended by two or more
27 persons is 50 square feet.
- 28 D. The displayed signs may not be inflatable or air-activated.
- 29 E. In order to serve the City's interests in traffic flow and safety, persons displaying
30 signs under this section may not stand in any vehicular traffic lane when a roadway
31 is open for use by vehicles, and persons displaying signs on public sidewalks must
32 give clearance for pedestrians to pass by.

33 **19.77.070 Projection of Temporary Signs Over Public Rights-of-way.**

34 No temporary sign or banner shall extend over or into a street, alley, sidewalk or other public
35 place except those signs placed by the City for the purpose of advertising civic events.

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1 **19.77.080 Pedestrian Mall Sidewalk Signs.**

2 This section applies only in the pedestrian mall as defined by Section 19.76.34.

3 **A.** One pedestrian mall sidewalk sign is allowed per ground floor lease space for food
4 service businesses as defined in 19.04 and museums subject to issuance of a sign
5 permit and approval of the Zoning Administrator, including conformance with the
6 following location and design criteria:

7 **B.** Persons may display a noncommercial message on an A frame or similar portable
8 sign, on the public sidewalk within the pedestrian mall, subject to:

- 9 1. A person must be physically present within 15 feet of the sign at all times that
10 it is on display;
- 11 2. A pedestrian mall sidewalk sign may not exceed 12 square-feet in overall
12 area, nor a maximum height or width of four feet.
- 13 3. A pedestrian mall sidewalk sign must be weighted so as not to be easily
14 knocked down or blown over. Maintenance of the sign and any damage or
15 injury caused by the sign is the responsibility of the business owner.

16 **B. Location Criteria:**

- 17 1. A pedestrian mall sidewalk sign shall only be permitted as provided herein,
18 within the limits of the downtown pedestrian mall as defined in Section
19 19.76.034.
- 20 2. A pedestrian mall sidewalk sign shall be located in front of the business and
21 extend no more than 10 feet into the public right-of-way, and not closer than
22 35 feet from the curb face of any cross-street open to vehicular traffic.
- 23 3. A pedestrian mall sidewalk sign shall not be located in a landscape planter,
24 permanent seating area, or any location which may create an impediment to
25 pedestrian, disabled, or emergency access.

26 **C. Design Criteria.**

- 27 1. A pedestrian mall sidewalk sign may not exceed 12 square-feet in overall
28 area, nor a maximum height or width of four feet. No more than 50% of the
29 overall sign area may be used for changeable copy.
- 30 2. A pedestrian mall sidewalk sign must be constructed of quality materials,
31 such as smooth particle board or medium density plywood, which are sturdy
32 and designed for paint.
- 33 3. All visible surfaces of the sign shall be finished in a uniform or
34 complimentary manner.
- 35 4. Lettering and graphics shall be of a professional quality. Borders, artistic
36 enhancements, and graphics reflecting the nature of the related business are
37 encouraged.

5. Balloons, banners, flags, lights, pinwheels, umbrellas, or other similar items, shall not be attached to, or made a part of, a pedestrian mall sidewalk sign.
6. The Zoning Administrator may refer the design of a pedestrian mall sidewalk sign to either the Cultural Heritage Board or the City Planning Commission for resolution of design related issues.
7. A pedestrian mall sidewalk sign must be weighted so as not to be easily knocked down or blown over. Maintenance of the sign and any damage or injury caused by the sign is the responsibility of the business owner.
8. A pedestrian mall sidewalk sign must be removed and placed indoors each day at the close of business.
9. A pedestrian mall sidewalk sign may not be displayed until the required sign permit, including proof of insurance, has been obtained. A pedestrian mall sidewalk sign permit is required to be renewed annually at the beginning of each calendar year.
10. Insurance Every permittee, at his/her sole cost and expense, and during the term of his/her permit or any renewal thereof, shall obtain and maintain liability insurance to the approval of the City's Risk Manager. Prior to the issuance of any permit, the applicant shall file and maintain with the Zoning Administrator a valid current policy or sufficient certificate evidencing the policy of liability insurance, covering use of the pedestrian mall sidewalk sign. The policy shall contain an endorsement naming the City as additional insured, shall provide that the City Risk Manager will be given thirty days written notice prior to cancellation or material change, and shall be in such minimum limits as set by resolution of the City Council.
11. Variances. Variances from the size, height, or maximum changeable copy requirements, may be granted in accordance with Chapter 19.64.
12. Appeals. Any decision of the Zoning Administrator, Cultural Heritage Board, or Planning Commission may be appealed to the City Council within 10 days of receipt of notice by permittee.

19.77.090 Riverside Plaza Sign (Limited Forum).

- A. **Location and Purpose.** Subject to the requirements of applicable State law, this section authorizes a single, permanent, electronic message center sign on land owned by Riverside Public Utilities, namely APN 223150001. When constructed, such sign shall be a strictly limited forum which may be used only for commercial speech to provide freeway visibility and identification for Riverside Plaza and the establishments located therein.
- B. **Physical Characteristics.** Such sign shall be oriented so as to be visible primarily from State Route 91. Each display face shall not exceed seven hundred fifty square feet. The maximum number of display faces shall be two. The height shall not exceed 50 feet above the elevation of the freeway travel lane nearest to the sign location. However, the actual approved size and/or height of an electronic message center sign may be less than the maximum dimensions.

1 C. **Permanent Identification.** For purposes of this section only, "onsite commercial"
2 means messages related to the establishments located within the Riverside Plaza. To
3 the extent the sign is used to display commercial messages, such messages may be
4 only onsite commercial messages, images or logos, with a maximum of four lines of
commercial copy per display face. No offsite commercial messages shall be displayed
on the sign. The sign owner may determine any noncommercial messages to be
displayed thereon.

5 D. **Property License or Lease.** The sign shall be permitted only through an approved
6 license agreement or lease between the Riverside Public Utilities and the sign owner.

7 **19.77.100 Encroachment.**

8 Any sign projecting into the public right of way, or into public property, is subject to an
encroachment permit.

9 **19.77.110 Enforcement.**

10 Any sign posted on public property or the public right of way, in violation of the provisions
11 of this Chapter, is declared to be a trespass and a public nuisance, may be summarily
12 removed by the City without notice, and the persons or parties responsible for such
13 unauthorized posting may be charged with the City's actual costs of removal. In addition,
any violation of this Chapter may be enforced or punished in any manner prescribed by law,
including any method provided for enforcement of the zoning ordinance, and a criminal
proceeding under the Penal Code.


14 Section 3: The City Clerk shall certify to the adoption of this ordinance and cause publication
15 once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City of
16 Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

17 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this
18 14th day of June, 2005.

19
20
21 Attest:



Mayor of the City of Riverside

22 
23 _____
City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 7th day
3 of June, 2005, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the
4 City Council on the 14th day of June, 2005, by the following vote, to wit:

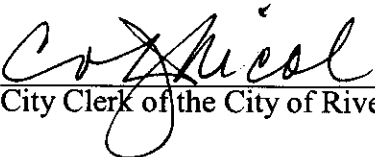
5 Ayes: Councilmembers Betro, Moore, Gage, Schiavone, Adkison, and Hart

6 Noes: None

7 Absent: Councilmember Adams

8 Abstain: None

9 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the
10 City of Riverside, California, this 14th day of June, 2005.

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12 
13 City Clerk of the City of Riverside
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